

Notice of Allowability

Application No.

10/059,086

Examiner

Ting Zhou

Applicant(s)

BROWN ET AL.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 25 April 2005.
2. ☒ The allowed claim(s) is/are 1,2,4-8,10-14 and 16-18.
3. ☒ The drawings filed on 28 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/18/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Amy Pattillo (Registration No. 46,983) on 10 May 2005.

2. The after-final amendment filed on 25 April 2005 have been received and entered. The applicant has added limitations from previously objected (allowable subject matter) claims 3, 9 and 15 into the independent claims and subsequently cancelled claims 3, 9 and 15. Claims 1-2, 4-8, 10-14 and 16-18 as amended are pending in the application.

3. The application has been amended as follows:

4. Claim 13 is amended to read:

Claim 13. A program for displaying characteristic aids in a display area, residing on a tangible computer usable medium having computer readable program code means, the program comprising:

means for enabling display of at least one displayable object within a user interface;

means for monitoring a transparency associated with said at least one displayable object;

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and

means for controlling placement of a graphical transparency characteristic aid displaying a percentage indicating said monitored transparency of said at least one displayable object within said user interface;

wherein said means for controlling placement of said graphical transparency characteristic aid further comprise:

means for determining a graphical output format for said graphical transparency characteristic aid;

means for adjusting a transparency of said graphical transparency characteristic aid according to user transparency preferences;

means for determining a display position for said graphical transparency characteristic aid; and

means for adjusting said transparency of said graphical transparency characteristic aid according to said display position.

5. The following is an examiner's statement of reasons for allowance: The present invention teaches the display of a transparency graphical characteristic aid that displays a percentage indicating the monitored transparency of a displayed object. Each independent claim identifies the district features of "adjusting a transparency of said graphical transparency characteristic aid according to user transparency preference, determining a display position for said graphical transparency characteristic aid; and adjusting said transparency of said graphical transparency characteristic aid according to said display position". The closest prior art, Andrew et al. U.S.

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Patent 6,633,310 and Vinberg U.S. Publication 2002/0138602 teach displaying a user interface comprising at least one displayable object within a display area controlled by a computer system, monitoring a transparency associated with the at least one displayable object and responsive to an initiating event, placing a graphical transparency characteristic aid displaying a percentage indicating the monitored transparency of the at least one displayable object within the display area, such that the at least one displayable object is not obscured by the graphical transparency characteristic aid. In the case of the Andrew et al. reference, Andrew et al. teach displaying interface elements on the GUI, monitoring the switch between translucency and opaqueness of graphical user interface elements, and responsive to the user positioning the pointer over an element, the element changes transparency from being translucent to opaque and correspondingly, a characteristic aid, or sound can be played in conjunction with the element changing transparency level from being translucent to opaque. In the case of the Vinberg reference, Vinberg teaches a status indicator graphically displaying a percentage of the object. The prior art fails to teach adjusting a transparency of the graphical transparency characteristic aid according to user transparency preference, determining a display position for the graphical transparency characteristic aid, and adjusting the transparency of the graphical transparency characteristic aid according to the display position. Therefore, the prior art fails to anticipate or render the above limitations obvious.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



**RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173**